



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Kazuaki WATANABE et al.

Group Art Unit: 1714

Application No. 10/001,256

Examiner: Callie E. Shosho

Filed: November 2, 2001

For: INK COMPOSITION FOR INK JET PRINTER

DECLARATION UNDER 37 CFR \$1.132

Honorable Commissioner of Patents and Trademarks
Alexandria, VA 22313-1450

Sir:

I, Kazuaki Watanabe, do declare and state that:

I graduated from Osaka University, School of Engineering Science, Course of Synthetic Chemistry in March of 1985.

I graduated from Graduate School of Engineering Science of said university, Course of Chemistry, receiving a Master's Degree in March of 1987.

I was employed by Seiko Epson Corporation in April of 1987, and since that time to October of 1992, I had been principally engaged in research and development relating to semiconductors in said company.

Since November of 1992 up to September of 2002, I had been principally engaged in development and designing

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relating to inks for ink jet printers, particularly pigment inks, in the Imaging & Information Products Division, the TP R&D Department of said company.

Since October of 2002, I have been principally engaged in intellectual property-related matter in TP Intellectual Property Department of said Imaging & Information Products Division.

I am the first-named inventor of the invention described and claimed in the above-identified application and am familiar with the Office Action dated July 7, 2003 issued therein.

The following comparative experimentation was conducted by me or under my supervision to demonstrate the unexpected superiority of the presently claimed invention.

EXPERIMENTATION

Comparative Example 2:

Ink Set G was prepared in the same manner as for Ink Set A used in Example 1, except that Surfynol 104 and triethylene glycol monobutyl ether used in ink compositions constituting Ink Set A were replaced with 5% by weight diethylene glycol monobutyl ether.

The thus obtained Ink Set G was evaluated in the same manner as for Ink Set A and the results obtained are shown

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in the Table below together with the results of Example 1 (Ink Set A) and Comparative Example 1 (Ink Set F) of the present specification.

	Example 1 Ink Set A	Comp. Ex. 1 Ink Set F	Comp. Ex. 2 Ink Set G
Pigment	3.1%	3.1%	3.1%
Styrene-acrylic acid copolymer (dispersant resin, Acid value: 120)	0.6%	0.6%	0.6%
Emulsion 1 (of sulfonyl group- containing diene-based resin)	6.7%		6.7%
Glycerin	10%	10%	10%
Surfynol 104	1%	1%	
Triethylene glycol monobutyl ether	5%	5%	
Diethylene glycol monobutyl ether			5%
Purer water	Remainder	Remainder	Remainder
Cohesion differential	A	B	B
Gloss differential	A	C	C
Glossiness	A	C	C
Bronzing	A	B	A
Fixing ability	A	C	A
Ejection stability	A	A	B

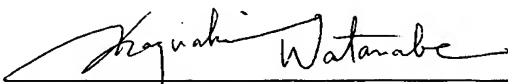
As can be seen from the above-shown results, Ink Set A of the invention shows unexpected superior effects, compared to comparative Ink Sets F and G which do not satisfy either one of the presently claimed requirements concerning the specific resin emulsion and the specific combination of ultra-penetrating agents.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that

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Declaration Under 37 CFR 1.132

willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11 / 06 / 2003


Kazuaki Watanabe



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kazuaki WATANABE, et al

Serial No.: 10/001,256

Group No.: 1755

Filed: November 2, 2001

Examiner.: Callie E. Shosho

For: INK COMPOSITION FOR INK JET PRINTER

Attorney Docket No.: U 013698-2

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

LETTER TO COMMISSIONER

Please substitute the attached declaration with original ink signature for the facsimile copy of the declaration filed previously.

Respectfully submitted,

CLIFFORD J. MASS
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG. NO.30,086 (212)708-1890

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
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I hereby certify that, on the date shown below, this correspondence is being:

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- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

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- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: November 18, 2003

Signature

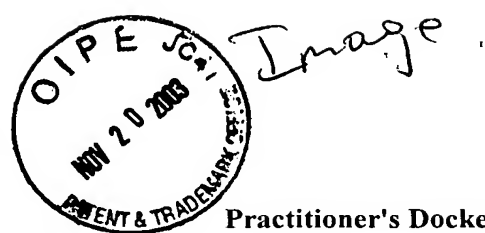
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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.



Practitioner's Docket

U 013698-2

PATENT

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In re application of Kazuaki WATANABE, et al

Serial No.: 10/001,256

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Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

WARNING: Failure to file a complete response in compliance with § 1.135(c) leads to a reduction in patent term adjustment - See § 1.704(c)(7).

1. Transmitted herewith is an amendment for this application.

STATUS

2. The application is qualified as
- ☐ a small entity.
- ☒ other than a small entity.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

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37 C.F.R. 1.8(a)

- ☒ with sufficient postage as first class mail.

37 C.F.R. 1.10*

- ☐ as "Express Mail Post Office to Address"
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TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: November 18, 2003

Signature

CLIFFORD J. MASS

(type or print name of person certifying)

Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. §1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

NOTE: 37 C.F.R. § 1.704(b)" . . . an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	four months	\$ 1,480.00	\$ 740.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) ☒ Applicant believes that no extension of term is required. However, this is a conditional petition being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	OR	Rate	Addit. Fee
Total	*	Minus	**	=	x \$ 9=	\$	x \$ 18=	\$
Indep.	*	Minus	***	=	x \$ 43=	\$	x \$ 86=	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claims					+ \$145=	\$	+ \$290=	\$
					Total Addit. Fee	\$ ____	OR	Total Addit. Fee \$ ____

- * If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,
 ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$ ____

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ ____.
- ☐ Charge Account No. 12-0425 the sum of \$ ____.
- A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 12-0425.

AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 12-0425

Reg. No. 30,086

Tel. No. 212-708-1890

Customer No. 00140



SIGNATURE OF PRACTITIONER

CLIFFORD J. MASS
(type or print name of practitioner)

P.O. Address

c/o Ladas & Parry
26 West 61 Street
New York, N.Y. 10023